

279. *Conditions which may be attached to licences.*—A licence granted to any person under section 277 shall specify the part of the cantonment in which the licensee may carry on his trade, calling or occupation, and may regulate the hours and manner of transport within the cantonment of any specified articles intended for human consumption, and may contain any other conditions which the Board thinks fit to impose in accordance with bye-laws made under this Act.

General provisions

280. *Power to vary licence.*—If the Board is satisfied that any place used under a licence granted under this Chapter is a nuisance or is likely to be dangerous to life, health or property, the Board may, by notice in writing, require the owner, lessee or occupier thereof to discontinue the use of such place or to effect such alternations, additions, or improvements as will, in the opinion of the Board, render it no longer a nuisance or dangerous.

281. *Carrying on trade, etc., without licence or in contravention of section 280.*—Whoever carries any trade, calling or occupation for which a licence is required without obtaining a licence therefor or while the licence therefor is suspended or after the same has been cancelled, and who ever, after receiving a notice under section 280, uses or allows to be used any building or place in contravention thereof, shall be punishable with fine which may extend to five thousand rupees and, in the case of a continuing offence, with an additional fine which may extend to five hundred rupees for everyday after the first during which the offence is continued.

282. *Feeding animals on dirt, etc.*—Whoever feeds or allows to be fed on filthy or deleterious substances any animal, which is kept for the purpose of supplying milk to, or which is intended to be used as food for, the inhabitance of a cantonment or allows it to graze in any place in which grazing has, for sanitary reasons, been prohibited by public notice by the Board shall be punishable with fine which may extend to one thousand rupees.

Entry, inspection and seizure

283. *Powers of entry and seizure.*—(1) The President or the Vice-President, the Chief Executive Officer, the Health Officer, the Assistant Health Officer, or any other official of a Board authorised by it in writing in this behalf—

(a) may at any time enter into any market, building, shop, stall or other place in the cantonment for the purpose of inspecting, and may inspect, any animal, article or thing intended for human food or drink or for medicine, whether exposed or hawked about for sale or deposited in or brought to any place for the purpose of sale, or of preparation for sale, or any utensil

or vessel for preparing, manufacturing or containing any such article, or thing, and may enter into and inspect any place used as a slaughter-house and may examine any animal or article therein;

(b) may seize any such animal, article or thing which appears to him to be diseased, or unwholesome or unfit for human food or drink or medicine, as the case may be, or to be adulterated or to be not what it is represented to be, or any such utensil or vessel which is of such a kind or in such a state as to render any article prepared, manufactured or contained therein unwholesome or unfit for human food, drink or medicine, as the case may be.

(2) Any article seized under sub-section (1) which is of a perishable nature may, under the orders of the Health Officer or the Assistant Health Officer, forthwith be destroyed if, in his opinion, it is diseased, unwholesome or unfit for human food, drink or medicine, as the case may be.

(3) Every animal, article, utensil, vessel, or other thing seized under sub-section (1) shall, if it is not destroyed under sub-section (2), be taken before a Magistrate who shall give orders as to its disposal.

(4) The owner or person in possession, at the time of seizure under sub-section (1), of any animal or carcass which is diseased or of any article or thing which is unwholesome or unfit for human food, drink or medicine, as the case may be, or is adulterated or is not what it is represented to be, or of any utensil or vessel which is of such kind or in such state as is described in clause (b) of sub-section (1), shall be punishable with fine which may extend to five thousand rupees, and the animal, article, utensil, vessel or other thing shall be liable to be forfeited to the Board or to be destroyed or to be so disposed of as to prevent it being exposed for sale or used for the preparation of food, drink or medicine, as the case may be.

Explanation I.—If any such article, having been exposed or stored in, or brought to, any place mentioned in sub-section (1) for sale as ghee, contains any substance not exclusively derived from milk, it shall be deemed, for the purposes of this section, to be an article which is not what it is represented to be.

Explanation II.—Meat subjected to the process of blowing shall be deemed to be unfit for human food.

Explanation III.—The article of food or drink shall not be deemed to be other than what it is represented to be merely by reason of the fact that there has been added to it some substance not injurious to health:

Provided that—

(a) such substance has been added to the article because the same is required for the preparation or production thereof as an article of commerce

in a state fit for carriage or consumption and not fraudulently to increase the bulk, weight or measure of the food or drink or conceal the inferior quality thereof; or

(b) in the process of production, preparation or conveyance of such article of food or drink, the extraneous substance has unavoidably become intermixed therewith; or

(c) the owner or person in possession of the article has given sufficient notice by means of a label distinctly and legibly written or printed thereon or therewith, or by other means of a public description, that such substance has been added; or

(d) such owner or person has purchased the article with a written warranty that it was of a certain nature, substance and quality and had no reason to believe that it was not of such nature, substance and quality, and has exposed it or hawked it about or brought it for sale in the same state and by the same description as that in and by which he purchased it.

Import of cattle and flesh

284. *Import of cattle and flesh.*—(1) No person shall, without the permission in writing of the Chief Executive Officer, bring into a cantonment any animal intended for human consumption, or the flesh of any animal slaughtered outside the cantonment otherwise than in a slaughter-house maintained by the Central Government or the State Government or the Board:

Provided that the Chief Executive Officer shall not grant such permission unless he has considered the recommendation of the Health Officer made in this behalf.

(2) Any animal or flesh brought into a cantonment in contravention of sub-section (1) may be seized by the Chief Executive Officer or by any official of the Board and sold or otherwise disposed of as the President of the Board may direct, and, if it is sold, the sale proceeds may be credited to the cantonment fund.

(3) Whoever contravenes the provisions of sub-section (1) shall be punishable with fine which may extend to two thousand five hundred rupees.

(4) Nothing in this section shall be deemed to apply to cured or preserved meat or to animals driven or meat carried through a cantonment for consumption outside thereof, or to meat brought into a cantonment by any person for his immediate domestic consumption:

Provided that the Board may, by public notice, direct that the provisions of this section shall apply to cured or preserved meat of any specified description or brought from any specified place.

CHAPTER XII

SPIRITUOUS LIQUORS AND INTOXICATING DRUGS

285. *Unauthorised sale of spirituous liquor or intoxicating drug.*—If within a cantonment or within such limits adjoining a cantonment as the Central Government may, by notification in the Official Gazette, define, any person not subject to Army, Navy or Air Force law, or any person subject to Army, Navy or Air Force law, otherwise than as a military officer or a soldier knowingly barter, sells or supplies, or offers or attempts to barter, sell or supply, any spirituous liquor or intoxicating drug to or for the use of any soldier or soldier's wife or minor child without the written permission of the Officer Commanding the station, or of some person authorised by the Officer Commanding the station, to grant such permission, he shall be punishable with fine which may extend to five thousand rupees, or with imprisonment for a term which may extend to six months, or with both.

286. *Unauthorised possession of spirituous liquor.*—If within a cantonment, or within any limits defined under section 285—

(a) any person subject to, Army, Navy or Air Force law, otherwise than as a military officer or a soldier; or

(b) the wife or servant of any such person or of a soldier,

has in his or her possession, except on behalf of the Central Government or for the private use of a military officer, more than one quart of any spirituous liquor, other than fermented malt-liquor, without the written permission of the Officer Commanding the station or of some person authorised by the Officer Commanding the station, to grant such permission, he or she shall be punishable, in the case of a first offence, with fine which may extend to two thousand five hundred rupees, and, in the case of a subsequent offence, with imprisonment for a term which may extend to three months, or with fine which may extend to five thousand rupees.

287. *Arrest of persons and seizure and confiscation of things for offences against the two last foregoing sections.*—(1) Any police officer or excise officer may, without an order from a Judicial Magistrate, and without a warrant, arrest any person whom he finds committing an offence under section 285 or section 286, and may seize and detain any spirituous liquor or intoxicating drug in respect of which such an offence has been committed and any vessels or coverings in which the liquor or drug is contained.

(2) Where a person accused of an offence under section 285 has been previously convicted of an offence under that section, an officer in charge of a police station may, with the written permission of a Judicial Magistrate, seize and

detain any spirituous liquor or intoxicating drug within the cantonment or within any limits defined under that section which, at the time of the alleged, commission of the subsequent offence, belonged to, or was in the possession of, such person.

(3) The court convicting a person of an offence under section 285 or section 286 may order the confiscation of the call or any part of anything seized under sub-section (1) or sub-section (2).

(4) Subject to the provisions of Chapter XXXIV of the Code of Criminal Procedure, 1973 (2 of 1974), anything seized under sub-section (1) or sub-section (2) and not confiscated under sub-section (3) shall be restored to the person from whom it was taken.

288. *Saving of articles sold or supplied for medicinal purposes.*—The foregoing provisions of this Chapter shall not apply to the sale or supply of any article in good faith for medicinal purposes by a medical practitioner, chemist or druggist authorised in this behalf by a general or special order of the Officer Commanding the station.

CHAPTER XIII

PUBLIC SAFETY AND SUPPRESSION OF NUISANCES

General Nuisances

289. *Penalty for causing nuisances.*—(1) Whoever—

(a) in any street or other public place within a cantonment,—

(i) is drunk and disorderly or drunk and incapable of taking care of himself; or

(ii) uses any threatening, abusive or insulting words, or behaves in a threatening or insulting manner with intent to provoke a breach of the peace, or whereby a breach of the peace is likely to be occasioned; or

(iii) eases himself, or willfully or indecently exposes his person; or

(iv) loiters, or begs importunately, for alms; or

(v) exposes or exhibits, with the object of exciting charity, an deformity or disease or any offensive sore or wound; or

(vi) carries meat exposed to public view; or

(vii) is found gaming; or

(viii) pickets animals, or collects vehicles; or

(ix) being engaged in the removal of night-soil or other offensive matter or rubbish, willfully or negligently permits any portion thereof to spill or fall, or neglects to sweep away or otherwise effectually to remove any portion thereof which may spill or fall in such street or place; or

(x) without proper authority affixes upon any building, monument, post, wall, fence, tree or other thing, any bill, notice or other document; or

(xi) without proper authority defaces or writes upon or otherwise marks any building, monument, post, wall, fence, tree or other thing; or

(xii) without proper authority removes, destroys, defaces or otherwise obliterates any notice or other document put up or exhibited under this Act; or

(xiii) without proper authority displaces, damages, or makes any alteration in, or otherwise interferes with the pavement, gutter, storm water-drain, flags or other materials of any such street, or any lamp, bracket, direction-post, hydrant or water-pipe maintained by the Board in any such street or public place, or extinguishes a public light; or

(xiv) carries any corpse not decently covered or without taking due precautions to prevent risk of infection or injury to the public health or annoyance to passers-by or to persons dwelling in the neighbourhood; or

(xv) carries night-soil or other offensive matter or rubbish at any hour prohibited by the Chief Executive Officer by public notice, or in any pattern of vehicle or receptacle which has not been approved for the purpose by the Chief Executive Officer, or fails to close such vehicle or receptacle when in use; or

(b) carries night-soil or other offensive matter or rubbish along any route in contravention of any prohibition made in this behalf by the Chief Executive Officer by public notice; or

(c) deposits, or causes or permits to be deposited, earth or materials of any description, or any offensive matter or rubbish, in any place not intended for the purpose in any street or other public place or waste or unoccupied land under the management of the Board; or

(d) having charge of a corpse fails to bury, burn or otherwise lawfully dispose of the same within twenty-four hours after death; or

(e) makes any grave or buries or burns any corpse in any place not set apart for such purpose; or

(f) keeps or uses, or knowingly permits to be kept or used, any place as a common gaming house, or assists in conducting the business of any common gaming house; or

(g) at any time or place at which the same has been prohibited by the Chief Executive Officer by public or special notice, beats a drum or tom-tom, or blows a horn or trumpet, or beats any utensil, or sounds any brass or other instrument, or plays any music; or

(h) disturbs the public peace or order by singing, screaming or shouting or by using megaphone or loud-speaker; or

(i) lets loose any animal so as to cause, or negligently allows any animal to cause, injury, danger, alarm or annoyance to any person; or

(j) being the occupier of any building or land in or upon which an animal dies, neglects within three hours of the death of the animal, or, if the death occurs at night, within three hours after sunrise, either—

(i) to report the occurrence to the Chief Executive Officer or to an officer, if any, appointed by him in this behalf with a view to securing the removal and disposal of the carcass by the public conservancy establishment; or

(ii) to remove and dispose of the carcass in accordance with any general directions given by the Board by public notice or any special direction given by the Chief Executive Officer on receipt of such report as aforesaid; or

(k) save with the written permission of the Chief Executive Officer and in such manner as he may authorise, stores or uses night-soil, manure, rubbish or any other substance emitting an offensive smell; or

(l) uses or permits to be used as a latrine any place not intended for the purpose; or

(m) uses or permits to be used without previous permission of the Chief Executive Officer any premises for any trade involving offensive smell or smoke;

shall be punishable with fine which may extend to two thousand five hundred rupees.

(2) Whoever does not take reasonable means to prevent any child under the age of twelve years being in his charge from easing himself in any street or other public place within the cantonment shall be punishable with fine which may extend to two hundred-fifty rupees.

(3) The owner or keeper of any animal found picketed or staying without a keeper in a street or other public place in a cantonment shall be punishable with fine which may extend to one thousand rupees.

(4) Any animal found picketed or straying as aforesaid may be removed by any officer or employee of the Board to a pound.

(5) Whoever in a cantonment manufactures, supplies, carries or uses for packaging or any other purposes material of non-biodegradable nature including polythene bags shall be punished with fine which may extend to five thousand rupees or imprisonment which may extend to six months.

Dogs

290. *Registration and control of dogs.*—(1) A Board may make bye-laws to provide for the registration of all dogs kept within the cantonment.

(2) Such bye-laws shall—

(a) require the registration, by any officer authorised in this behalf of all dogs kept in the cantonment;

(b) require that every registered dog shall wear a collar to which shall be attached a metal token to be issued by the registration authority, and fix the fee payable for the issue thereof;

(c) require that any dog which has not been registered or which is not wearing such token shall, if found in any public place, be detained at a place set apart for the purpose; and

(d) fix the fee which shall be charged for such detention and provide that any such dog shall be liable to be destroyed or otherwise disposed of unless it is claimed and the fee in respect thereof is paid within one week; and may provide for such other matters as the Board thinks fit.

(3) The Chief Executive Officer may—

(a) cause to be destroyed, or to be confined for such period as he may direct, any dog or other animal which is, or is reasonably suspected to be, suffering from rabies, or which has been bitten by any dog or other animal suffering or suspected to be suffering from rabies;

(b) by public notice direct that, after such date as may be specified in the notice, dogs which are without collars or without marks distinguishing them as private property and are found straying on the streets or beyond the enclosures of the houses of their owners, if any, may be destroyed, and cause them to be destroyed accordingly.

(4) No damages shall be payable in respect of any dog or other animal destroyed or otherwise disposed of under this section.

(5) Whoever, being the owner or person in charge of any dog, neglects to restrain it so that it shall not be at large in any street without being muzzled and without being secured by a chain lead in any case in which—

(a) he knows that the dog is likely to annoy or intimidate any person; or

(b) the Board has, by public notice during the prevalence of rabies, directed that dogs shall not be at large without muzzles and chain leads, shall be punishable with fine which may extend to one thousand rupees.

(6) Whoever in a cantonment—

(a) allows any ferocious dog which belongs to him or is in his charge to be at large without being muzzled; or

(b) sets on or urges any dog or other animal to attack, worry or intimidate any person; or

(c) knowing or having reason to believe that any dog or animal belonging to him or in his charge has been bitten by an animal suffering or reasonably suspected to be suffering from rabies, neglects to give immediate information of the fact to the Chief Executive Officer or gives information which is false,

shall be punishable with fine which may extend to two thousand rupees.

Traffic

291. *Traffic rule of the road.*—Whoever in driving, leading or propelling a vehicle along a street fails, except in a case of actual necessity,—

(a) to keep to the left when passing a vehicle coming from the opposite direction; or

(b) to keep to the right when passing a vehicle going in the same direction as himself,

shall be punishable with fine which may extend to five hundred rupees.

Prevention of fire, etc.

292. *Use of inflammable materials for building purposes.*—(1) The Chief Executive Officer may, by public notice, direct that within such limits in the cantonment as may be specified in the notice, the roofs and external walls of huts or other buildings shall not, without the permission in writing of the Chief Executive

Officer be made or renewed of grass, mats, leaves or other inflammable materials, and may, by notice in writing, require any person who has disobeyed any such direction as aforesaid to remove or alter the roofs or walls so made or renewed.

(2) The Chief Executive Officer may, by notice in writing, require the owner of any building in the cantonment which has an external roof or wall made of any such material as aforesaid to remove such roof or wall within such time as may be specified in the notice, notwithstanding that a public notice under sub-section (1) has not been issued or that such roof or wall was made with the consent of the Chief Executive Officer or before the issue of such public notice:

Provided that, in the case of any such roof or wall in existence before the issue of such a public notice or made with the consent of the Chief Executive Officer, it shall make compensation, not exceeding the original cost of constructing the roof or wall, for any damage caused by the removal.

293. *Stacking or collecting inflammable materials.*—A Board may, by a public notice, prohibit in any case where such prohibition appears to it to be necessary for the prevention of danger to life or property, the stacking or collecting of wood, dry grass, straw or other inflammable materials, or the placing of mats or thatched huts or the lighting of fires in any place in the cantonment, or within any limits therein, which may be specified in the notice:

Provided that Chief Executive Officer may, in case of imminent danger to public life or property, enforce such prohibition in consultation with the President or the Vice-President in absence of the President.

294. *Care of naked lights.*—No person shall set a naked light on or near any building in any street or other public place in a cantonment in such manner as to cause danger of fire:

Provided that nothing in this section shall be deemed to prohibit the use of lights for purpose of illumination on the occasion of a festival or public or private entertainment.

295. *Regulation of cinematographic and dramatic performances.*—(1) Notwithstanding anything contained in any other law relating to sanctioning of cinematograph films for exhibition, no exhibition of pictures or other optical effects by means of a cinematograph or other like apparatus for the purpose of which inflammable films are used, and no public dramatic performance, pantomime, circus, carnival, exhibition, dance or other similar show for public recreation or amusement, shall be given in any cantonment elsewhere than in premises for which a licence has been granted by the Chief Executive Officer under this section.

(2) If the owner of a cinematograph or other apparatus uses the apparatus or allows it to be used, or if any person takes any part in any public dramatic performance, pantomime, circus, carnival, exhibition, dance or other similar show for public recreation or amusement, in contravention of the provisions of this section,